



U.S. Department of Justice

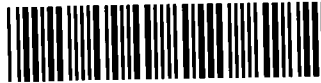
Environment and Natural Resources Division

LJG:JML

90-7-2-532

Environmental Defense Section
P.O. Box 23986
Washington, DC 20026-3986

US EPA RECORDS CENTER REGION 5



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Telephone (202) 514-4198

Facsimile (202) 514-8865

July 22, 1999

VIA FIRST CLASS MAIL

Lisa McKinney Goldner, Esq.
Bose McKinney & Evans
2700 First Indiana Plaza
135 North Pennsylvania Street
Indianapolis, IN 46204

Re: Gary Development Company, Inc. v. U.S. Environmental Protection Agency, Civil Action No. 2:96CV489-RL (N.D. Ind.)

Dear Ms. Goldner:

In accordance with your request, this letter confirms that, as determined by U.S. EPA, your client, Gary Development Company, Inc., has paid the full \$86,000 penalty and contributed \$40,000 into the GDCLF Trust, as required by paragraphs 8 and 13 of the consent decree entered July 7, 1997. The U.S. EPA has also determined that Gary Development has provided it with copies of its federal and state tax returns, in accordance with paragraph 17 of the Consent Decree.

Accordingly, the U.S. EPA considers this action between the parties closed, subject to the "reservation of rights" and the "reopener" provisions contained in sections IX and X of the Consent Decree.

I trust that this letter shall satisfy your client's concerns. Please contact me if you have any questions or comments.

Sincerely,

Joshua M. Levin, Trial Attorney
Environmental Defense Section
P.O. Box 23986
Washington, D.C. 20026-3986
(202) 514-4198

cc: Diana Embil, Esq.